

(II) funding projects for information gathering on those techniques, and dissemination of that information to the programs, by groups outside the Department of Labor; and

(B) facilitate the formation of new programs, in ways that include holding or funding an annual conference of representatives from States with existing programs, representatives from States developing new programs, and representatives from States without existing programs.

(C) PROGRAMS REGARDING EMPLOYEE OWNERSHIP AND PARTICIPATION.—

(1) ESTABLISHMENT OF PROGRAM.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a program to encourage new programs and existing programs within the States to foster employee ownership and employee participation in business decisionmaking throughout the United States.

(2) PURPOSE OF PROGRAM.—The purpose of the program established under paragraph (1) is to encourage new and existing programs within the States that focus on—

(A) providing education and outreach to inform employees and employers about the possibilities and benefits of employee ownership, business ownership succession planning, and employee participation in business decisionmaking, including providing information about financial education, employee teams, open-book management, and other tools that enable employees to share ideas and information about how their businesses can succeed;

(B) providing technical assistance to assist employee efforts to become business owners, to enable employers and employees to explore and assess the feasibility of transferring full or partial ownership to employees, and to encourage employees and employers to start new employee-owned businesses;

(C) training employees and employers with respect to methods of employee participation in open-book management, work teams, committees, and other approaches for seeking greater employee input; and

(D) training other entities to apply for funding under this subsection, to establish new programs, and to carry out program activities.

(3) PROGRAM DETAILS.—The Secretary may include, in the program established under paragraph (1), provisions that—

(A) in the case of activities described in paragraph (2)(A)—

(i) target key groups, such as retiring business owners, senior managers, unions, trade associations, community organizations, and economic development organizations;

(ii) encourage cooperation in the organization of workshops and conferences; and

(iii) prepare and distribute materials concerning employee ownership and participation, and business ownership succession planning;

(B) in the case of activities described in paragraph (2)(B)—

(i) provide preliminary technical assistance to employee groups, managers, and retiring owners exploring the possibility of employee ownership;

(ii) provide for the performance of preliminary feasibility assessments;

(iii) assist in the funding of objective third-party feasibility studies and preliminary business valuations, and in selecting and monitoring professionals qualified to conduct such studies; and

(iv) provide a data bank to help employees find legal, financial, and technical advice in connection with business ownership;

(C) in the case of activities described in paragraph (2)(C)—

(i) provide for courses on employee participation; and

(ii) provide for the development and fostering of networks of employee-owned companies to spread the use of successful participation techniques; and

(D) in the case of training described in paragraph (2)(D)—

(i) provide for visits to existing programs by staff from new programs receiving funding under this section; and

(ii) provide materials to be used for such training.

(4) GUIDANCE.—The Secretary shall issue formal guidance, for recipients of grants awarded under subsection (d) and one-stop partners (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) affiliated with the workforce development systems (as so defined) of the States, proposing that programs and other activities funded under this section be—

(A) proactive in encouraging actions and activities that promote employee ownership of, and participation in, businesses; and

(B) comprehensive in emphasizing both employee ownership of, and participation in, businesses so as to increase productivity and broaden capital ownership.

(d) GRANTS.—

(1) IN GENERAL.—In carrying out the program established under subsection (c), the Secretary may make grants for use in connection with new programs and existing programs within a State for any of the following activities:

(A) Education and outreach as provided in subsection (c)(2)(A).

(B) Technical assistance as provided in subsection (c)(2)(B).

(C) Training activities for employees and employers as provided in subsection (c)(2)(C).

(D) Activities facilitating cooperation among employee-owned firms.

(E) Training as provided in subsection (c)(2)(D) for new programs provided by participants in existing programs dedicated to the objectives of this section, except that, for each fiscal year, the amount of the grants made for such training shall not exceed 10 percent of the total amount of the grants made under this section.

(2) AMOUNTS AND CONDITIONS.—The Secretary shall determine the amount and any conditions for a grant made under this subsection. The amount of the grant shall be subject to paragraph (6), and shall reflect the capacity of the applicant for the grant.

(3) APPLICATIONS.—Each entity desiring a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may reasonably require.

(4) STATE APPLICATIONS.—Each State may sponsor and submit an application under paragraph (3) on behalf of any local entity consisting of a unit of State or local government, State-supported institution of higher education, or nonprofit organization, meeting the requirements of this section.

(5) APPLICATIONS BY ENTITIES.—

(A) ENTITY APPLICATIONS.—If a State fails to support or establish a program pursuant to this section during any fiscal year, the Secretary shall, in the subsequent fiscal years, allow local entities described in paragraph (4) from that State to make applications for grants under paragraph (3) on their own initiative.

(B) APPLICATION SCREENING.—Any State failing to support or establish a program pursuant to this section during any fiscal year may submit applications under paragraph (3) in the subsequent fiscal years but may not screen applications by local entities described in paragraph (4) before submitting the applications to the Secretary.

(6) LIMITATIONS.—A recipient of a grant made under this subsection shall not receive,

during a fiscal year, in the aggregate, more than the following amounts:

(A) For fiscal year 2022, \$300,000.

(B) For fiscal year 2023, \$330,000.

(C) For fiscal year 2024, \$363,000.

(D) For fiscal year 2025, \$399,300.

(E) For fiscal year 2026, \$439,200.

(7) ANNUAL REPORT.—For each year, each recipient of a grant under this subsection shall submit to the Secretary a report describing how grant funds allocated pursuant to this subsection were expended during the 12-month period preceding the date of the submission of the report.

(e) EVALUATIONS.—The Secretary is authorized to reserve not more than 10 percent of the funds appropriated for a fiscal year to carry out this section, for the purposes of conducting evaluations of the grant programs identified in subsection (d) and to provide related technical assistance.

(f) REPORTING.—Not later than the expiration of the 36-month period following the date of enactment of this Act, the Secretary shall prepare and submit to Congress a report—

(1) on progress related to employee ownership and participation in businesses in the United States; and

(2) containing an analysis of critical costs and benefits of activities carried out under this section.

(g) AUTHORIZATIONS OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of making grants pursuant to subsection (d) the following:

(A) For fiscal year 2022, \$4,000,000.

(B) For fiscal year 2023, \$7,000,000.

(C) For fiscal year 2024, \$10,000,000.

(D) For fiscal year 2025, \$13,000,000.

(E) For fiscal year 2026, \$16,000,000.

(2) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated, and there is appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of funding the administrative expenses related to the Initiative, for each of fiscal years 2022 through 2026, an amount not in excess of—

(A) \$350,000; or

(B) 5.0 percent of the maximum amount available under paragraph (1) for that fiscal year.

**SA 1576.** Mr. MANCHIN (for himself and Mrs. CAPITO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Strike subsections (e), (f), and (g) of section 4153 and insert the following:

(e) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Director of the Office of Management and Budget, in consultation with the covered Secretaries, shall submit to the chairs and ranking members of the appropriate congressional committees a report on the procurement of personal protective equipment and solid oral dose essential drugs (as defined in section 4154).

(2) ELEMENTS.—The report required under paragraph (1) shall include the following elements:

(A) The United States long-term domestic procurement strategy for PPE and solid oral dose essential drugs produced in the United States, including strategies to incentivize investment in and maintain United States supply chains for all such PPE and drugs sufficient to meet the needs of the United States during a public health emergency.

(B) An estimate of long-term demand quantities for all PPE items and solid oral dose essential drugs procured by the United States.

(C) Recommendations for congressional action required to implement the United States Government's procurement strategy.

(D) A determination whether all notifications, amendments, and other necessary actions have been completed to bring the United States existing international obligations into conformity with the statutory requirements of this subtitle.

(f) AUTHORIZATION OF TRANSFER OF EQUIPMENT.—

(1) IN GENERAL.—A covered Secretary may transfer to the Strategic National Stockpile established under section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) any excess personal protective equipment or solid oral dose essential drugs acquired under a contract executed pursuant to subsection (b) or section 4154(b).

(2) TRANSFER OF EQUIPMENT DURING A PUBLIC HEALTH EMERGENCY.—

(A) AMENDMENT.—Title V of the Homeland Security Act of 2002 (6 U.S.C. 311 et seq.) is amended by adding at the end the following: **“SEC. 529. TRANSFER OF EQUIPMENT AND DRUGS DURING A PUBLIC HEALTH EMERGENCY.**

“(a) AUTHORIZATION OF TRANSFER OF EQUIPMENT.—During a public health emergency declared by the Secretary of Health and Human Services under section 319(a) of the Public Health Service Act (42 U.S.C. 247d(a)), the Secretary, at the request of the Secretary of Health and Human Services, may transfer to the Department of Health and Human Services, on a reimbursable basis, excess personal protective equipment, medically necessary equipment, or solid oral dose essential drugs in the possession of the Department.

“(b) DETERMINATION BY SECRETARIES.—

“(1) IN GENERAL.—In carrying out this section—

“(A) before requesting a transfer under subsection (a), the Secretary of Health and Human Services shall determine whether the personal protective equipment, medically necessary equipment, or solid oral dose essential drug is otherwise available; and

“(B) before initiating a transfer under subsection (a), the Secretary, in consultation with the heads of each component within the Department, shall—

“(i) determine whether the personal protective equipment, medically necessary equipment, or drug requested to be transferred under subsection (a) is excess equipment or drugs; and

“(ii) certify that the transfer of the personal protective equipment, medically necessary equipment, or solid oral dose essential drug will not adversely impact the health or safety of officers, employees, or contractors of the Department.

“(2) NOTIFICATION.—The Secretary of Health and Human Services and the Secretary shall each submit to Congress a notification explaining the determination made under subparagraphs (A) and (B), respectively, of paragraph (1).

“(3) REQUIRED INVENTORY.—

“(A) IN GENERAL.—The Secretary shall—

“(i) acting through the Chief Medical Officer of the Department, maintain an inventory of all personal protective equipment, medically necessary equipment, and solid oral dose essential drugs in the possession of the Department; and

“(ii) make the inventory required under clause (i) available, on a continual basis, to—

“(I) the Secretary of Health and Human Services; and

“(II) the Committee on Appropriations and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Appropriations and the Committee on Homeland Security of the House of Representatives.

“(B) FORM.—Each inventory required to be made available under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

“(c) SOLID ORAL DOSE ESSENTIAL DRUGS.—In this section, the term ‘solid oral dose essential drug’ means a drug included on the most recent list of essential medicines issued by the Food and Drug Administration pursuant to Executive Order 13944 (85 Fed. Reg. 49929) that is available in a solid, oral dose form.”.

(B) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 528 the following:

“Sec. 529. Transfer of equipment and drugs during a public health emergency.”.

(3) STRATEGIC NATIONAL STOCKPILE.—Section 319F-2(a) of the Public Health Service Act (42 U.S.C. 247d-6b(a)) is amended by adding at the end the following:

“(6) TRANSFERS OF ITEMS.—The Secretary, in coordination with the Secretary of Homeland Security, may sell drugs, vaccines and other biological products, medical devices, or other supplies maintained in the stockpile under paragraph (1) to a Federal agency or private, nonprofit, State, local, tribal, or territorial entity for immediate use and distribution, provided that any such items being sold are—

“(A) within 1 year of their expiration date; or

“(B) determined by the Secretary to no longer be needed in the stockpile due to advances in medical or technical capabilities.”.

(g) COMPLIANCE WITH INTERNATIONAL AGREEMENTS.—The President or the President's designee shall take all necessary steps, including invoking the rights of the United States under Article III of the World Trade Organization's Agreement on Government Procurement and the relevant exceptions of other relevant agreements to which the United States is a party, to ensure that the international obligations of the United States are consistent with the provisions of this subtitle.

**SEC. 4154. REQUIREMENT OF LONG-TERM CONTRACTS FOR DOMESTICALLY MANUFACTURED SOLID ORAL DOSE ESSENTIAL DRUGS.**

(a) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—

(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Health, Education, Labor, and Pensions, the Committee on Finance, and the Committee on Veterans' Affairs of the Senate; and

(B) the Committee on Homeland Security, the Committee on Oversight and Reform, the Committee on Energy and Commerce, the Committee on Ways and Means, and the Committee on Veterans' Affairs of the House of Representatives.

(2) COVERED SECRETARY.—The term “covered Secretary” means the Secretary of Homeland Security, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs.

(3) SOLID ORAL DOSE ESSENTIAL DRUG.—The term “solid oral dose essential drug” means a drug included on the most recent list of essential medicines issued by the Food and Drug Administration pursuant to Executive Order 13944 (85 Fed. Reg. 49929) that is available in a solid, oral dose form.

(4) UNITED STATES.—The term “United States” means the 50 States, the District of Columbia, and the possessions of the United States.

(b) CONTRACT REQUIREMENTS FOR DOMESTIC PRODUCTION.—Beginning 90 days after the date of the enactment of this Act, in order to ensure the sustainment and expansion of solid oral dose essential drug manufacturing in the United States and meet the needs of the current pandemic response, any contract for the procurement of solid oral dose essential drug entered into by a covered Secretary, or a covered Secretary's designee, shall—

(1) be issued for a duration of at least 2 years, plus all option periods necessary, to incentivize investment in the production of a solid oral dose essential drug and the ingredients thereof in the United States; and

(2) be for a solid oral dose essential drug, including the ingredients thereof, that is manufactured, processed, or packed in the United States.

(c) ALTERNATIVES TO DOMESTIC PRODUCTION.—The requirement under subsection (b) shall not apply to a solid oral dose essential drug, or an ingredient thereof if, after maximizing to the extent feasible sources consistent with subsection (b), the covered Secretary—

(1) maximizes sources for the solid oral dose essential drug that manufactured, processed, or packed outside the United States containing only ingredients that are available in the United States; and

(2) certifies every 120 days that it is necessary to procure the solid oral dose essential drug under alternative procedures to respond to the immediate needs of a public health emergency.

(d) AVAILABILITY EXCEPTION.—

(1) IN GENERAL.—Subsections (b) and (c) shall not apply to a solid oral dose essential drug, or ingredient thereof—

(A) that is, or that includes, a material listed in section 25.104 of the Federal Acquisition Regulation as one for which a non-availability determination has been made; or

(B) as to which the covered Secretary determines that a sufficient quantity of a satisfactory quality that is manufactured, processed, or packed in the United States cannot be procured as, and when, needed at United States market prices.

(2) CERTIFICATION REQUIREMENT.—The covered Secretary shall certify every 120 days that the exception under paragraph (1) is necessary to meet the immediate needs of a public health emergency.

**SA 1577.** Mr. MANCHIN submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes;